

IN RE: PETITION FOR RESIDENTIAL VARIANCE* BEFORE THE
S/S Old North Point Road
148' W of Maple Road * ZONING COMMISSIONER
(1227 Old North Point Road) * OF BALTIMORE COUNTY
12th Election District
7th Councilmanic District * Case No. 91-52-A
Shirley N. Croy
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit an existing enclosed porch with a side yard setback of 4 feet in lieu of the minimum required 10 feet and to allow a side yard setback of 2 feet in lieu of the minimum required 7.5 feet for a proposed open projection (carport) in accordance with Petitioner's Exhibit 1.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of October, 1990 that the Petition for Residential Variance to permit an existing enclosed porch with a side yard setback of 4 feet in lieu of the minimum required 10 feet and to allow a side yard setback of 2 feet in lieu of the minimum required 7.5 feet for a proposed open projection (carport), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at her own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The proposed carport shall remain open on the three exposed sides.
- 3) Petitioner shall not allow or cause the proposed structure to be converted to a second dwelling unit and/or apartments.

JRH:bjs

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

October 10, 1990



Ms. Shirley N. Croy
1227 Old North Point Road
Baltimore, Maryland 21222

RE: PETITION FOR RESIDENTIAL VARIANCE
S/S Old North Point Road, 148' W of Maple Road
(1227 Old North Point Road)
12th Election District - 7th Councilmanic District
Shirley N. Croy - Petitioner
Case No. 91-52-A

Dear Ms. Croy:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

91-52-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 102.3.C.1 and 301.1 To permit an existing enclosed porch with a side setback of 4 ft. in lieu of the permitted 10 ft. and to allow a proposed open projection (car port) with a side setback of 2 ft. in lieu of the permitted 7.5 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

WE NEED A CARPORT FOR PROTECTION FROM WEATHER. REASON WE NEED TO PUT CARPORT ON RIGHT SIDE OF HOUSE IS BECAUSE DRIVEWAY IS ALREADY THERE AND CARPORT ON LEFT SIDE AS HOUSE BEING UP IN AGE CARPORT NEEDS TO BE ON SIDE OF HOUSE OWNER COULD GET TO AUTO AT A SHORTER DISTANCE HAVING NOT TO WORRY ABOUT ICE & SNOWY WEATHER (SEE CONTINUATION ON ATTACHED SHEET)
Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/Town/Village Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Signature

1227 OLD NORTH POINT RD. 21222
Baltimore, Maryland 21222
City/Town/Village Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Shirley N. Croy
1227 OLD NORTH POINT RD. 21222
Baltimore, Maryland 21222

A ORDERED by the Zoning Commissioner of Baltimore County, this 3 day of Aug, 1990, that the subject matter of this petition be posted on the property on or before the 22 day of Aug, 1990.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR HELD TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this ____ day of ____, 19__, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be reposted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the ____ day of ____, 19__, at ____ o'clock, ____.

ORDER RECEIVED FOR FILING

Date 11/14/90
By JRH

ZONING COMMISSIONER OF BALTIMORE COUNTY

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Townson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

August 7, 1990



Dennis F. Rasmussen
County Executive

Ms. Shirley N. Croy
1227 Old North Point Road
Baltimore, Maryland 21222

Re: CASE NUMBER: 91-52-A
TYEN NUMBER: 49
LOCATION: S/S Old North Point Road, 148' W of Maple Road
1227 Old North Point Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a reaffirmation regarding the administrative process.

1) Your property will be posted on or before August 22, 1990. The last date (closing date) on which a neighbor may file a formal request for hearing is September 6, 1990. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reporting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

2) Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
(301) 887-3391

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

91-52-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently or upon settlement will reside at
1227 OLD NORTH POINT RD.
(Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

WE NEED A CARPORT FOR PROTECTION FROM WEATHER. THE REASON WE NEED TO PUT THE CARPORT ON RIGHT SIDE OF HOUSE IS BECAUSE DRIVEWAY IS ALREADY THERE AND CARPORT CANNOT GO ON LEFT SIDE OF HOUSE. (SEE ATTACHED)

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Shirley N. Croy
AFFIANT (Handwritten Signature)

AFFIANT (Handwritten Signature)

Shirley N. Croy
AFFIANT (Printed Name)

AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 6th day of July, 1990, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Shirley N. Croy
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

7/6/90
DATE

Richard S. Swerling
NOTARY PUBLIC

My Commission Expires: 1/19/93

*The enclosed BACK PORCH on the SET BACK has been there 20-30 years. I want to come up to current code, AS WAS SUGGESTED AT my File meeting. ALSO REASON FOR CARPORT FOR BEING 40 FT. LONG IS BECAUSE SHE HAS TWO VEHICLES AT HER ACCESS, AND BECAUSE OF ICE & SNOW DANGER, OF POSSIBLE SLIPPING.

ZONING DESCRIPTION

91-52-A

Beginning at a point on South - West side of Old North Point Road which is 30 - feet wide at the distance of 148 - feet north - west Maple Road. Being Lot #126 in the subdivision of Northshire as recorded in Baltimore County Plat Book #14, Folio #29, containing 6350 square feet. Also known as 1227 Old North Point Road and located in the #12th Election District.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 12th Date of Posting 7/13/90
Posted for: Shirley N. Croy
Petitioner: Shirley N. Croy
Location of property: 215 Old N. Pt. Rd., 148' W. of Maple Rd.
1227 Old N. Pt. Rd.
Location of Sign: Facing Old N. Pt. Rd., 148' W. of Maple Rd.
on property of R. H. Haines
Remarks: _____
Posted by: Shirley N. Croy Date of return: 7/14/90
Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt
No 3107

Date 8/03/90

Account: R-001-6150
Number H9100049

PUBLIC HEARING FEES	QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X	\$35.00
080 -POSTING SIGNS / ADVERTISING	1 X	\$25.00
LAST NAME OF OWNER: CROY	TOTAL:	\$60.00

04A048015SHICMRC
BA C012148PH08-03-90 \$60.00

Cashier Validation:

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

September 6, 1990



Dennis F. Rasmussen
County Executive

Ms. Shirley N. Croy
1227 Old North Point Road
Baltimore, MD 21222

RE: Item No. 49, Case No. 91-52-A
Petitioner: Shirley N. Croy
Petition for Residential Variance

Dear Ms. Croy:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this
3rd day of August, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

Chairman,
Zoning Plans Advisory Committee

Petitioner: Shirley N. Croy

Petitioner's Attorney:

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

Dennis F. Rasmussen
County Executive

August 10, 1990

RECEIVED
AUG 29 1990

ZONING OFFICE

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 40, 41, 43, 46, 47, and 49.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lvw

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: August 6, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

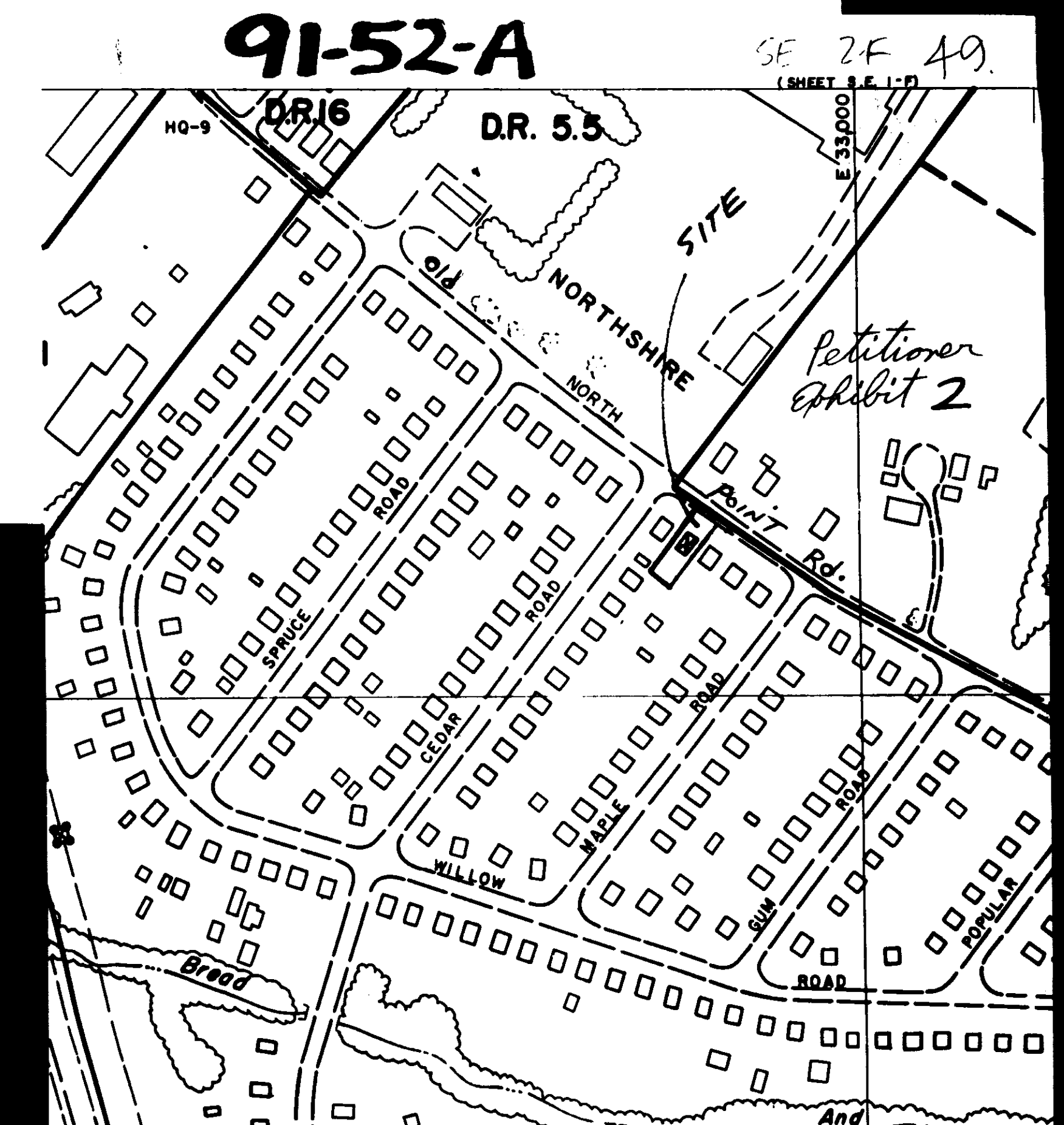
SUBJECT: James H. Wise, Item No. 39

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM39/ZAC1



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 49
PROPERTY OWNER:
LOCATION:

ELECTION DISTRICT:
COUNCILMANIC DISTRICT:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMPS (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

X A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

X OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

CHECK ITEM APPLICABLE TO THIS PLAN

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5000
(301) 887-4500
Paul H. Reinecke
Chief

AUGUST 9, 1990



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: SHIRLEY N. CROY

Location: #1227 OLD NORTH POINT ROAD

Item No.: *49 Zoning Agenda: AUGUST 21, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and Approved: [Signature]
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: August 9, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for August 21, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 43, 46 and 49.

For Items 40 and 41, a County Review Group Meeting is required.

For Item 44, the previous County Review Group comments still apply.

For Item 47, the sewer service to the basement of the house at this location does not appear to be feasible.

RWB:s

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

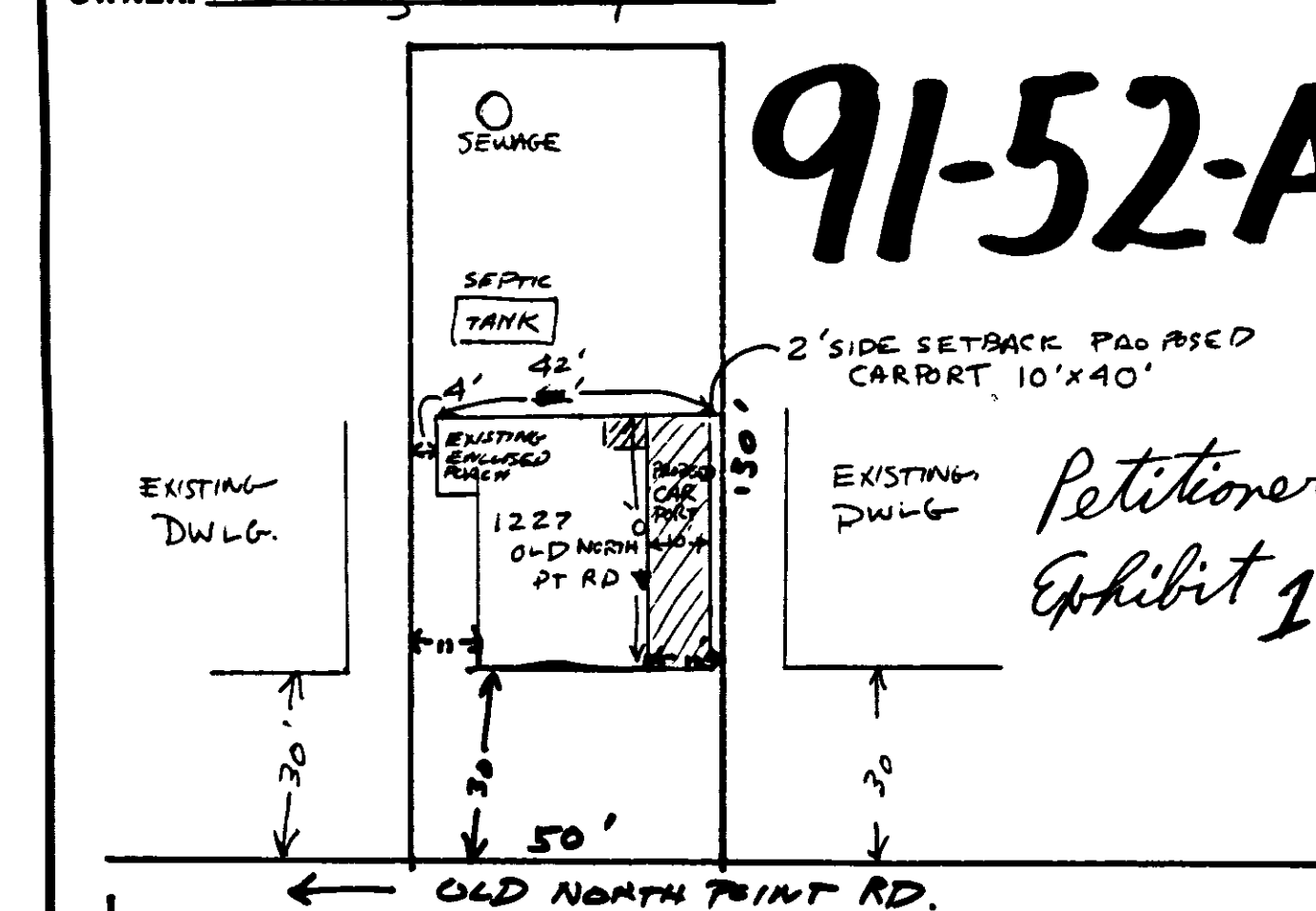
PROPERTY ADDRESS: 1227 OLD NORTH POINT RD

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: Northshire

plat book: 14, lot: 29, lot 12, section: 2

OWNER: Shirley N. Croy



148' TO MAPLE RD.

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